

in this entire field, would either go to the library here or find a way of getting a copy of the Goodnow Report of January 28, 1916 which was addressed — is Delegate Malkus here — he would be interested to know it was addressed to his neighbor, then Governor of Maryland, Governor Harrington.

This is the report of this committee, and it deals with the philosophy. The philosophy is this, as I understand it: there shall be the responsibility vested in the governor. The governor, in assuming that responsibility must state what the budget shall contain. The legislature has the coextensive responsibility of providing for programs along with the governor.

The governor, having the responsibility, being the executive head of the State, shall likewise be responsible for the totality of the budget, and the taxes that follow from it.

The legislature may make its changes, but must assume its share of the responsibility by providing for the taxes for anything that they increase. The legislature shall have the right to decrease or strike out. The end result shall be a budget which must be in balance.

This about capsules what, if I had the opportunity, I am sure ought to be a lecture of not less than an hour, but this is what is the Maryland philosophy: you balance it, you pinpoint the responsibility on the executive, you give the legislature its coextensive responsibility to do what I mentioned.

DELEGATE J. CLARK (presiding): Delegate Hanson.

DELEGATE HANSON: Did not the Goodnow Report as it was submitted to the General Assembly subject to its appointment by the democratic convention, recommend at that time these particular elements, and recommend that its central points, or one of those was that the legislature should not change the budget so as to incur a deficit, but the recommendation as submitted by the Goodnow Commission would have given the General Assembly power to increase the budget by, I believe, a three-fifths vote, provided it provided the revenue?

DELEGATE J. CLARK (presiding): Judge Sherbow.

DELEGATE SHERBOW: I am not sure there was such provision in it. In any event, it was not put into the constitution.

DELEGATE J. CLARK (presiding): Delegate Hanson.

DELEGATE HANSON: That is my point.

Judge Sherbow, to go farther with the problem of coextensive power of the legislature in budgeting, as you have put it, and given the optimum system which you expressed, and which I share, that the legislature will soon have the staff and the organization to adequately consider the budget, why should the legislature be permitted within the estimate of revenues only to decrease the budget, but not to, as Delegate Bennett suggests, move funds from one program to another if in its coextensive judgment it believes that to be in the public interest?

DELEGATE J. CLARK (presiding): Delegate Sherbow.

DELEGATE SHERBOW: I think this is completely contrary to everything we stand for in this constitution, and I would say to you, let us go back to our section on the executive branch. We sure have pulled a booboo if we have given this power to the executive and then when he submits his budget the legislature may take out big chunks of his program. The governor has no way of having that program reinstated. The legislature may then put in its place programs which he did not initiate. They put it in there on the basis of a surplus which is created by the action of the legislature.

It is no longer an executive budget. It is no longer a budget where the responsibility is pinpointed on the governor who has been elected to carry out all of these programs. It is now a budget which he must carry out which was not his program.

I think this is contrary to what has been the view and the feeling in Maryland for over 50 years, and which I gather from the action of this assemblage is the view of this present Convention.

DELEGATE J. CLARK (presiding): Delegate Hanson.

DELEGATE HANSON: Would not the objections which you raised to the governor's power, or to an amendment to the budget increasing a program within the estimate of revenues so it would not be unbalanced, be met by doing what is generally recommended by fiscal authorities on state government, permitting the governor the power to reduce or strike out any such increase?

DELEGATE SHERBOW: The governor has the line item veto on the General As-